

Application No. 10/045,120
Page 2

RECEIVED
CENTRAL FAX CENTER
JUN 14 2007

REMARKS

Claims 1-26 and 57-94 are pending.

The Office Action dated May 14, 2007, alleges that the application includes claims directed to two distinct inventions:

Group I directed to a method of communicating data including broadcasting, receiving, and accumulating information, and communicating requests, corresponding to claims 1-15, 57-67 and 76-86; and

Group II directed to a method of requesting data including receiving and rendering information, tracking actions and communicating requests, corresponding to claims 16-26, 68-75 and 87-94.

Applicant elects Group II (claims 16-26, 68-75 and 87-94) with traverse.

The Office alleges that the inventions of Groups I and II are related as subcombinations that are separately useable. Applicants traverse on grounds that, as a practical matter, the subject matter identified in Groups I and II would be used together, and further, by virtue of reciting similar subject matter, a search of one group would substantially overlap the search of the other group.

The Group I subject matter, broadly speaking, relates to subject matter that occurs at a gateway side (where data is prepared for broadcast transmission), and the Group II subject matter, broadly speaking, relates to subject matter occurring at a receiver side. A gateway prepares information ultimately to be received by a receiver. The independent claims of Group II recite, among other things, tracking one or more actions entered in a man-machine interface relating to rendered broadcast information, and after a predetermined threshold associated with said actions is reached, communicating a request for data content of interest. The independent claims of Group I recite, among other things, receiving information regarding one or more actions entered in a man-machine interface of a receiver and tracking the one or more actions, accumulating the information regarding the one or more actions until a predetermined threshold associated with the actions is reached, and after reaching the threshold, communicating a request for the data content of interest. Thus, the Group II claims require tracking of actions at the man machine interface of the receiver, and the Group I claims require receiving information regarding actions tracked at a man-

Application No. 10/045,120
Page 3

machine interface of a receiver. It is believed that as a practical matter the subject of these two groups would be used together.

Moreover, the above-noted recitations reflect on their face that a search of one group would substantially overlap a search of the other group. Thus, there would be no undue burden on the examiner to search both groups of claims.

For at least these reasons, examination of both Group I and Group II is respectfully requested.

Should there be any questions in connection with this application, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below.

Respectfully submitted,



By: _____

Douglas H. Pearson
Registration No. 47,851
Direct No.: (202) 879-3825

JONES DAY
51 Louisiana Avenue, N.W.
Washington D.C. 20001-2113
Tel: (202) 879-3939
Fax: (202) 626-1700

Date: June 14, 2007